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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRENDA PERRY,) Case No.
)
Plaintiff,) COMPLAINT FOR VIOLATION
) OF THE FEDERAL FAIR DEBT
vs.) COLLECTION PRACTICES ACT
)
OXFORD LAW, LLC; AND CUZCO))
CAPITAL INVESTMENT)
MANAGEMENT, LLC)
)
Defendants)
_____)

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. §1692k (d).

III. PARTIES

3. Plaintiff, Brenda Perry (“Plaintiff”), is a natural person residing in the state of Pennsylvania, and is a “consumer” as defined by the FDCPA, 15 U.S.C. §1692a(3).

4. At all relevant times herein, Defendant Oxford Law, LLC Inc., (“Defendant Oxford”) was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a “debt,” as defined by 15 U.S.C. §1692a(5). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).

5. At all relevant times herein, Defendant Cuzco Capital Investment Management, LLC (“Defendant Cuzco”) was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff. Defendant LRL regularly attempts to collect debts alleged to be due another, and therefore is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).

IV. FACTUAL ALLEGATIONS

6. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt.

1 7. On or about March 15, 2012, at approximately 2:31 p.m., Defendant
2 Oxford called Plaintiff's cellular phone at (301)326-3650 and left her a voice
3 message, asking her to call Defendant Oxford back at (877)543-6151 ext 187; the
4 caller identified himself as Austin Graham and asked Plaintiff to call him
5 regarding "a very important business matter."
6
7

8 8. On or about March 21, 2012, at approximately 5:14 p.m., Defendant
9 Oxford called Plaintiff's cellular phone and left her a voice message, asking her
10 to call Defendant Oxford (at 877)543-6151 ext 187 regarding account number
11 5999313. The caller identified himself as Austin Graham.
12
13

14 9. On or about March 27, 2012, Defendant Oxford sent Plaintiff a letter
15 regarding Plaintiff's credit card account with Chase Bank USA; the account in
16 question, number 5599313, was eventually purchased by Defendant Cuzco. In the
17 letter, Defendant Oxford stated, in relevant part:
18

19 This office represents the above-named client, CUZCO
20 CAPITAL, who has placed the above-styled matter for
21 collection. This is a demand for full payment because
22 you have had ample time to pay our debt. Sometimes
23 we can arrange installment payments but you must
24 contact this office for arrangements. At this time, no
25 attorney with this firm has personally reviewed the
26 particular circumstances on your account.
27
28

1 Further, this letter went on to generally inform Plaintiff that if she submits a
2 written dispute as to the validity of the debt, Defendant Oxford will obtain and
3 provide Plaintiff documentation evidencing the validity of the debt.
4

5 10. In response to Defendant Oxford's March 27, 2012 letter, Plaintiff
6 wrote a letter to Defendant Oxford, asking Defendant Oxford to refrain from
7 contacting her without first sending her the following information: 1) proof that
8 Defendant Oxford owns the debt or was authorized to collect the debt on behalf
9 of Defendant Cuzco; 2) that the debt was actually incurred by Plaintiff with
10 regards to the original creditor, Chase Bank; 3) proof of the judgment against
11 Plaintiff; and 4) proof that Defendant Oxford is licensed to collect debts in
12 Maryland. Plaintiff also requested Defendant to forward her letter to the original
13 creditor if Defendant Oxford was in fact not authorized to collect on the debt.
14
15
16
17

18 11. Defendant's conduct violated the FDCPA in multiple ways,
19 including but not limited to:
20

- 21 a) Failing to notify Plaintiff during the initial communication
22 with Plaintiff that the communication was an attempt to
23 collect a debt and any information obtained would be used
24 for that purpose (§1692e(11));
- 25 b) Failing to notify Plaintiff during each collection contact
26 that the communication was from a debt collector
27 (§1692e(11));
28

1 c) Failing to disclose Defendant's true corporate or business
2 name in a telephone call to Plaintiff (§1692d(6)).

3
4 12. As a result of the above violations of the FDCPA Plaintiff suffered
5 and continues to suffer injury to Plaintiff's feelings, personal humiliation,
6 embarrassment, mental anguish and emotional distress, and Defendant is liable to
7 Plaintiff for Plaintiff's actual damages, statutory damages, and costs and
8 attorney's fees.
9

10
11 **COUNT I: VIOLATION OF FAIR DEBT**
12 **COLLECTION PRACTICES ACT**

13 13. Plaintiff reincorporates by reference all of the preceding paragraphs.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff respectfully prays that judgment be entered
16 against the Defendant for the following:
17

- 18 A. Declaratory judgment that Defendant's conduct
19 violated the FDCPA;
20
21 B. Actual damages;
22 C. Statutory damages;
23 D. Costs and reasonable attorney's fees; and,
24 E. For such other and further relief as may be just and proper.
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27 ///

28 ///

1 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

2 Respectfully submitted this May 29, 2012.

3
4 By: /s/ Cynthia Z. Levin
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